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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re United States Patent Application of:	)	Docket No.:	4354-112
Applicants:	)	Conf. No.:	3744
Application No.:	)		
Date Filed:	)		
Title:	)	Customer No.:	
METHODS AND REAGENTS	)		
FOR TREATING OR	)		
PREVENTING	)		
ATHEROSCLEROSIS AND	)		
DISEASES ASSOCIATED	)		
THEREWITH	)		

23448

**FACSIMILE TRANSMISSION CERTIFICATE**

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5 Pages

Number of Pages

  
Tracey Langston

June 3, 2008

Date

**SUBMISSION OF POWER OF ATTORNEY AND STATEMENT UNDER  
37 CFR 3.73(b) FOR U.S. PATENT APPLICATION NO. 10/735,344**

Commissioner for Patents  
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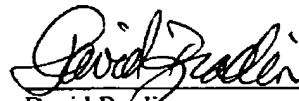
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4354-112

Sir:

Enclosed and submitted herewith is a Power of Attorney to Prosecute Applications before the USPTO (Form PTO/SB/80) appointing new attorneys, including those associated with PTO Customer Number 23448. Also enclosed is a Statement under 37 CFR 3.73(b) (Form PTO/SB/96) for the above-identified U.S. patent application.

Respectfully submitted,



David Bradin  
Reg. No. 37,783  
Attorney for Applicants

INTELLECTUAL PROPERTY/  
TECHNOLOGY LAW  
Phone: (919) 419-9350  
Fax: (919) 419-9354  
Attorney File No.: 4354-112

**Enclosures:**

**Power of Attorney to Prosecute Applications Before USPTO (Form PTO/SB/80) [1 pg.]**  
**Statement under 37 CFR 3.73(b) (Form PTO/SB/96) [1 pg.]**  
**Supplemental Sheet for Statement under 37 CFR 3.73(b) [1 pg.]**

The USPTO is hereby authorized to charge any deficiency or credit any overpayment of fees properly payable for this document to Deposit Account No. 08-3284

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Sayada

Application No./Patent No.: 10/735,344

Filed/Issued Date: December 11, 2003

Entitled: METHODS AND REAGENTS FOR TREATING OR PREVENTING ATHEROSCLEROSIS AND DISEASES ASSOCIATED THEREWITH

ActivBiotics Pharma, LLC

, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Sayada, Chalorn B. To: ActivBiotics, Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel/Frame 015359/0533, or for which a copy thereof is attached.

2. From: ActiveBiotics, Inc. To: Horizon Technology Funding Company, LLC

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3. From: Horizon Technology Funding Company, To: ActivBiotics, Inc.

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☒ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO.  
See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

David Bradin  
Signature

June 3, 2008

Date

David Bradin  
Printed or Typed Name

(919) 419-9350  
Telephone Number

Attorney for Applicants  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Supplemental Sheet for the Chain of Title for Section B of Statement Under 37 CFR 3.73(b)

4. From: ActivBiotics Inc. To: ActivBiotics Pharma LLC

The document was recorded in the United States Patent and Trademark Office at Reel 020866, Frame 0584, or for which a copy thereof is attached.

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# POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23448

AND

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent application assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please recognize or change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

23448

OR

☐ Firm or Individual Name

Address

City

Country

State

Zip

Telephone

Email

Assignee Name and Address:  
ActivBiotech Pharma, LLC  
1860 Montreal Rd  
Tucker, GA 30084

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/86 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73 (b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

## SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature

Name

Raymond F. Schinazi, Ph.D.

Date

5/23/08

Title and Company

Chairman, ActivBiotech Pharma, LLC

Telephone

404-801-1430

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 39 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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